

Message Text

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44

ACTION IO-14

INFO OCT-01 ADP-00 IOE-00 SSO-00 NSCE-00 USIE-00 INRE-00

SS-15 NSC-10 L-03 H-03 CIAE-00 INR-10 NSAE-00 RSC-01

PA-03 PRS-01 AID-20 OIC-04 OMB-01 TAR-02 AGR-20

COME-00 EB-11 LAB-06 SIL-01 STR-08 TRSE-00 CIEP-02

CEA-02 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSR-01 /211 W

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O 141800Z AUG 73

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 1174

INFO USMISSION USUN NY IMMEDIATE

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MCDONALD/FERGUSON TELECON AUGUST 14

E.O. 11652: N/A

TAGS: ECOSOC

SUBJ: ECOSOC 55-ITEM 9 (C)-ECONOMIC COMMISSION FOR WEST AFRICA

1. WE BELIEVE THAT GENEVA 4334 CONTAINS EXPLANATION
OF MATTER OF NO VOTE ON SUBJECT ITEM IN ECOSOC PLENARY.
FYI. WE APOLOGIZE THAT TELEGRAM WAS NOT DESPATCHED
FRIDAY MORNING. FAULT LIES WITH DELEGATION ENGROSSED
IN LAST MINUTE CLEANING UP OF MEETING. END FYI.

2. IN FULLER EXPLANATION MATTERS REPORTED GENEVA 4334
FRAZAO APPROACHED FERGUSON PRIOR TO OPENING OF SESSION
WITH PROPOSAL THAT RESOLUTION BE ADOPTED "BY CONSENSUS
WITH FULL POSITIONS OF DELS RESERVED". FERGUSON REJECTED
OUT OF HAND ON GROUNDS THAT SUCH NOT A CONSENSUS. SUBSEQUENTLY
AND IMMEDIATELY PRIOR TO OPENING OF SESSION FRAZAO AGAIN
APPROACHED FERGUSON, FACK (NETHERLANDS) THAT PLENARY
ACTION BE TAKEN "WITHOUT VOTE" AND "WITHOUT PREJUDICE TO
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POSITONS OF DELEGATIONS." AFTER CONFERRING WITH ONLY

OTHER 3 NO VOTES PRESENT IN ECOSOC, I.E. DUTCH, NEW ZEALAND AND FINLAND WHO HAD ACCEPTED SECOND FRAZAO PROPOSAL, FERGUSON INDICATED WE WOULD ACCEPT DORMULA "WITHOUT FORMAL VOTE" BUT THAT HE PROPOSED TO DELIVER MORE LENGTHY AND STRONGER EXPLANATION THAN USUAL.

3. RESOLUTION ADOPTED "WITHOUT FORMAL VOTE" (NO MENTION OF CONSENSUS) AND FERGUSON DELIVERED EXPLANTION OF US POSITION.

4. SUBSTANCE OF EXPLANATION WAS: (A) DESPITE PARLIAMENTARY PROCEDURE ADOPTED USG REMAINED IMPLACABLY OPPOSED TO RESOLUTION BECAUSE IT VIOLATED ARTICLE 1(3), ARTICLE 2(1), AND ARTICLE 68 OF THE CHARTER, THAT US TOOK THIS POSITION BECAUSE IT HAD OBLIGATION TO DEFEND INTEGRITY OF CHARTER AND NOT BECAUSE OF POLITICAL CONSIDERATIONS; (B) STATEMENT CONTINUED THAT USG OPPOSED AS A MATTER OF POLICY APART FROM CONSIDERATIONS OF LEGALITY. THAT ESTABLISHMENT OF COMMISSION HAD THE EFFECT OF ALIENATING MAJOR SUPPORTERS OF THE UN, STRATEFIED THE UNHEALTHY DEVISIVENESS IN THE MIDDLE EAST AND INSTITUTIONALIZED HOSTILITIES IN THE AREA BASED ON ETHNIC IDENTIFICATION; (C) AMB. FERGUSON CONCLUDED BY INDICATING THAT DESPITE ACTION OF THE COUNCIL AND BASED ON FOREGOING REASONS THE USG WOULD FEEL FREE TO PURSUE THIS MATTER IN OTHER FORI. HE EXPRESSED REGRET THAT THE ACTION TAKEN CREATED A FUNDAMENTAL THREAT TO THE VERY FOUNDATIONS OF THE UN AND REGRETTED EVEN MORE THE REJECTION IN THE COMMITTEE OF THE USG PROPOSAL TO RESOLVE THE NARROW LEGAL ISSUE BY REFERENCE OF THE QUESTION TO THE ICJ.

5. IN ASSESSING ACTION TAKEN BY AMB. FERGUSON WE TRUST THAT IT WILL BE BORNE IN MIND THAT DECISION MADE IN TIME WHEN FRAZAO (AND OTHER MEMBERS OF BUREAU) WERE EXERTING EVERY PRESSURE TO DISPOSE OF ITEMS WITHOUT VOTE. THE SAME DAY IN THE ECON COMITE CANADIANS REQUESTED VOTE ON TRANSMITTAL RESOLUTION OF R&A PAPERS AND WERE DENIED VOTE BY CHAIRMAN SCOTT. THIS MATTER CITED SIMPLY AS INDICATION OF ATMOSPHERE AND PRESSURE ON LAST TWO DAYS OF MEETING.

6. AFTER US EXPLANATION, NETHERLANDS, NEW ZEALAND, FINLAND LIMITED OFFICIAL USE

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EXPLAINED THEIR POSITIONS OF CONTINUING OPPOSITION IN SHORTER STATEMENTS THAN US. UK, FRANCE, JAPAN EXPLAINED ABSTENTIONS SIMILARLY.

7. AS GENEVA 4334 REPORTED WE WERE INFLUENCED NOT ONLY BY PRESSURE AND ENVIRONMENT BUT ALSO BY FACT THAT VOTE IN PLENARY WOULD HAVE BEEN 19 YES, 4 NO, 3 ABSTENTIONS (HAITI ABSENT) A WORSE SHOWING THAN VOTE IN COMMITTEE I.E. FOUR TO

ONE DEFEAT RATHER THAN THREE TO ONE DEFEAT.

8. FRAZAO'S JUSTIFICATION IN MAKING REQUEST TO US AND DUTCH
WAS HIS CONCEPTION OF ACTION BY CONSENSUS SET OUT IN OPENING
SPEECH AND WHICH FRAZAO REMINDED US WAS GREETED WITH APPROVAL
IN AMBASSADOR SCALI'S INITIAL SPEECH IN GENERAL DEBATE.

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